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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/888,036 | 06/22/2001 | Nils R. Rydbeck | ER-028-US | 7521 |

7590 12/02/2004

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EXAMINER

BUI, BING Q

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2642

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/888,036

Applicant(s)

RYDBECK, NILS R.

Examiner

Bing Q Bui

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 22 June 2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-29 are pending in the application for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simon et al. (US Pat No. 6,442,270) in view of Gates (US Pat No. 6,222,917), herein after referred as Simon.

Regarding claim 1, referring to Figures 1-3, Simon teaches a method for operating a mobile communication unit having a database containing data records for one or more telephone numbers (e.g., telephone 200 includes a list 214 of stored telephone numbers) with each data record containing an index item stored by a character string, said method comprising:

searching said database (e.g., list 214 of stored telephone numbers) for an index item beginning with a desired character string such as "4", then 41, then 419 (see figs 1-3 and col. 1, ln 58-col. 2, ln 53).

Simon fails to teach the method of automatically switching said mobile communication unit to a normal telephone number entry mode if said database contains

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no data records having an index item potentially matching said desired character string. However, Gates teaches a method in which if dialed digits for candidate directory number entered by a calling party do not match with any directory number listed in a database, the system conventionally attempts a call to a called party using digits entered by the calling party (see Fig 3, elements 31-33 and 35-38; and col. 8, lns 1-31 and col. 9, lns 27-38). Therefore, integrating Gates' teachings into communication system of Simon would have been obvious for fast completing the call even speed dialing call is not available due to the entered digit(s) does not match any directory number listed in the database.

Regarding claim 2, Simon suggests the method of displaying said desired character string in response to digit entered by the calling party (see figs 1 and 3; and col. 2, ln 45-53).. Having this suggestion, displaying said desired character string after switching to normal telephone number entry mode would be obvious.

As to claims 3-5, 8-9, 11, 13 and 19-21, they rejected for the same reasons set forth to rejecting claim 1

Regarding claim 6, referring to Figures 1-3, Simon teaches the method of claim 1, further comprising:

- selecting said desired character string (see col. 2, lns 45-53); and

- selecting between calling said desired character string and calling a speed dial number such as a "name" associated with said desired character string (see col. 2, lns 35-44 and also admitted in the background of Specification shown on page 2, lines 3-6).

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Regarding claim 7, referring to Figures 1-3, Simon teaches the method of claim 6, wherein said selecting between calling said desired character string and calling a speed dial number associated with said desired character string comprises pressing a SEND key immediately after said selecting said desired character string to call said desired character string and pressing said SEND key after pressing a selected other key after said selecting said desired character string to call said speed dial number (see col. 2, lns 35-53 and also admitted in the background of Specification shown on page 2, lines 3-6).

Regarding claim 10, referring to Figures 1-3, Simon teaches the method of claim 8 further comprising:

displaying a portion of said data records including index items matching said desired character sequence on said display (see figs 1-3 and col. 1, ln 58-col. 2, ln 53).;

modifying said desired character sequence by inputting an additional character with said keypad to be appended to said desired character sequence to create a new desired character sequence (see figs 1-3 and col. 1, ln 58-col. 2, ln 53).;

searching said database for said index items matching said new desired character sequence (see figs 1-3 and col. 1, ln 58-col. 2, ln 53).;

displaying a portion of said data records including index items matching said new desired character sequence on said display (see figs 1-3 and col. 1, ln 58-col. 2, ln 53).

Simon fails to teach the method of automatically switching said mobile communication unit to a normal telephone number entry mode if said database contains no data records having an index item potentially matching said desired character string.

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However, Gates teaches a method in which if dialed digits for candidate directory number entered by a calling party do not match with any directory number listed in a database, the system conventionally attempts a call to a called party using digits entered by the calling party (see Fig 3, elements 31-33 and 35-38; and col. 8, lns 1-31 and col. 9, lns 27-38). Therefore, integrating Gates' teachings into communication system of Simon would have been obvious for fast completing the call even speed dialing call is not available due to the entered digit(s) does not match any directory number listed in the database.

As to claim 12, it is rejected for the same reasons set forth to rejecting claims 1 and 10.

As to claim 14, it is rejected for the same reasons set forth to rejecting claim 10.

As to claims 15 and 25, they are rejected for the same reasons set forth to rejecting claim 6.

As to claims 16-26, they are rejected for the same reasons set forth to rejecting claim 7.

Regarding claims 17-18, Simon teaches the method of selecting a displayed data record; calling said telephone number of said selected displayed data record (see fig 3, elements 308-312 and col. 2, lns 45-53). Simon fails to teach the method of automatically selecting a second displayed data record responsive to said calling said telephone number of said selected first displayed data record being unsuccessful, wherein said second displayed data record is the data record of said displayed data records other than said first displayed data record which has been called most

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frequently. However, this method is so well known in optimizing call routing using sequential routing method. For example, a called subscriber may associate with a plurality of destination numbers (e.g., office, home, vacation home) wherein a call directed to him is first routed to his most frequent destination where the possibility of reaching him is highest and then sequentially to a next one if the call routed to the first one is unsuccessful.

Regarding claim 22, the feature of automatically resetting a communication unit to a database search telephone number entry mode after completion of a call in said normal telephone number entry mode and vice versa is just merely an intended use or design choice.

Regarding claim 23, for having a call frequency record associated with a number called, incrementing such frequency record each time a communication unit calls said telephone number would be obvious.

Regarding claim 24, referring to Figures 1-3, Simon teaches the method of claim 19, further comprising a display displaying data records having stored character strings beginning with said desired character string only when in said database search telephone number entry mode (see figs 1-3 and col. 1, ln 58-col. 2, ln 53).

As to claims 27-28, they are rejected for the same reasons set forth to rejecting claims 17-18.

As to claim 29, it is rejected for the same reasons set forth to rejecting claims 1 and 22-23.

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art in general:

U.S. Pat. No. 5,303,288

U.S. Pat. No. 6,430,405

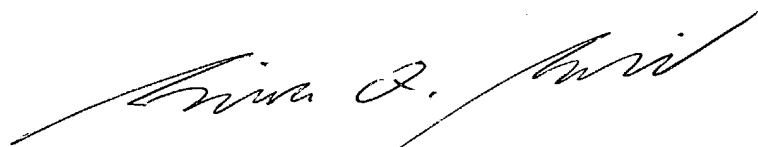
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858.

The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 and for formal communications intended for entry (please label the response ☐EXPEDITED PROCEDURE☐) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

15 NOV 2004



**BING Q. BUI
PRIMARY EXAMINER**